

ORDINANCE NO. 07- 314

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTERS 6.16 AND 11.08 OF THE MUNICIPAL CODE PERTAINING
TO ALLOWED CONSTRUCTION HOURS AND TREE PROTECTION

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Subsection 16.16.070(B)(6)(a) of Chapter 6.16 is hereby replaced with the following:

- a. i. Single-family zoning districts. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work on weekdays before 7:00 a.m. and after 5:30 p.m. and on Saturdays before 9:00 a.m. or after 3:00 p.m. or any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work of public utilities or by special exception. This section shall apply to operations on residentially zoned property only. This section shall not apply to the use of lawn or garden tools as specified in subsection (B)(11) of this section;
- ii. All other zoning districts. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work on weekdays before 7:00 a.m. and after 7:00 p.m. and Saturdays before 9:00 a.m. or after 6:00 p.m. or any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work of public service utilities or by special exception. This section shall apply to operations on properties other than residentially zoned property. This section shall not apply to the use of lawn or garden tools as specified in subsection (B)(11) of this section;

SECTION 2. AMENDMENT OF CODE: Section 11.08.040 of Chapter 11.08 is hereby replaced with the following and section 11.08.120 is hereby deleted and the remaining sections renumbered accordingly:

11.08.040 Protected trees.

A protected tree is any of the following:

- A. Any tree that is 48 inches in circumference measured at 48 inches above grade;
- B. Any tree designated by the historical commission as a heritage tree or any tree under official consideration by the historical commission for heritage tree designation;
- C. Any tree which was required by the city to be either saved or planted in conjunction with a development review application;

SECTION 3. ENVIRONMENTAL ANALYSIS. The amended zoning regulations set forth herein have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970 and Council finds that it can be seen with certainty that there is no possibility that these amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the Act.

SECTION 4. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 5. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published as provided in Government Code section 36933 and shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on August 28, 2007 and was thereafter, at a regular meeting held on September 11, 2007 passed and adopted by the following vote:

Ayes: PACKARD, CARPENTER, CASAS, BECKER, COLE
Noes: NONE
Absent: NONE


Robert C. Cole, MAYOR

Attest:


Susan Kitchens, CITY CLERK